

REMARKS/ARGUMENTS

Claims 1-9 and 11 are pending in the captioned application and have been rejected. Applicants have amended claim 1 and cancelled claim 2. Applicants have additionally amended the dependency of claims 3, 4, 5, 8 and 9 so they no longer depend on the now cancelled claim 2. Applicants respectfully submit that the amendment does not introduce new matter. Applicants respectfully request reconsideration and allowance of claims 1, 3-9 and 11.

Claims 1-9 and 11 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Examiner requested clarification of claim 1, such that it is clear the incorporation of the phosphorothioate moiety with the cRNA occurs during the step of in vitro transcription. In response, Applicants have amended claim 1 to comply. Applicants submit that in view of the amendment this rejection is now moot.

Claim 1 stands rejected by Examiner under 35 U.S.C. §103(a) as being unpatentable over Zoeller et al. (The Journal of Histochemistry & Cytochemistry, vol. 45, no. 7, pages 1035-1041, 1997) in view of Yang et al. (Genome Research, vol. 11, pages 1888-1898, November 7, 2001). Applicants respectfully disagree. However, in an effort to expedite prosecution, Applicants hereby amend claim 1 to further include the

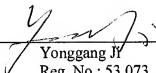
limitation of claim 2. Applicants submit that the amended claim is now in allowable form.

In view of the foregoing, Applicants respectfully assert that the Examiner's rejections cannot be sustained and should be withdrawn.

Applicants believe that the claims, as amended, are in allowable form and earnestly solicit the allowance of claims 1, 3-9 and 11.

Respectfully submitted,

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